

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

John L. Buchet,

v.

Civil No. 06-cv-319-SM

United States Forest Service,  
a division of the United States  
Department of Agriculture;  
Southern Carroll County District  
Court; Town of Sandwich, NH; and  
Board of Selectmen for the  
Town of Sandwich, NH,

**O R D E R**

Pro se plaintiff's complaint is facially deficient in any number of respects, but it is sufficient to note that he fails to state a claim upon which relief can be granted against any of the named defendants and has failed to adequately invoke this court's jurisdiction as to most.

Ordinarily, the court would allow a reasonable period of time to amend the complaint, but that seems inappropriate in this case for at least two reasons. First, the complaint is so lacking in any hint of the possibility of expressing a non-frivolous claim, that an amendment would almost certainly be futile. Second, the attorney general suggests that plaintiff has been found incompetent to stand trial in a criminal matter, and

so may be suffering from substantial disabilities. Plaintiff has also paid a hefty filing fee - recently raised by Congress to \$350.00 - which is a steep price to pay merely to watch a facially hopeless complaint meet its predictable end following a futile amendment.

In plaintiff's own interest, and to be fair under the circumstances, the court will enter the following orders. The pending motions to dismiss are granted for the reasons given, the complaint is also dismissed against the United States for failure to state a claim upon which relief can be granted and because it is frivolous as pled, and plaintiff's filing fee of \$350.00 shall be returned to him. Finally, plaintiff may not file another complaint in this court involving the same subject matter without first obtaining leave of court. Future filings by this plaintiff will be referred to the undersigned for preliminary review, before a filing fee is accepted.

**SO ORDERED.**

  
Steven J. McAuliffe  
Chief Judge

November 21, 2006

cc: John L. Buchet, pro se  
T. David Plourde, Esq.  
Nancy J. Smith, Esq.  
Laura A. Spector, Esq.  
Walter L. Mitchell, III, Esq.